

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SARAH J. PIERCE,

Plaintiff,

-against-

BETTER HOLDCO, INC., VISHAL GARG,
and NICHOLAS CALAMARI,

Defendants.
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Case No: 22-CV-04748 (AT)

**DECLARATION IN
SUPPORT OF
CROSS-MOTION FOR
LEAVE TO FILE AN
AMENDED COMPLAINT
UNDER FRCP 15**

Neal Brickman, an attorney duly licensed to practice law in the State of New York and before this Court, declares the following under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I represent Plaintiff, Sarah J. Pierce, in the above-captioned matter.
2. I make this declaration, pursuant to Rule 7.1 of the Local Rules for the United States District Court for the Southern District of New York, in support of Plaintiff's motion seeking leave to file an Amended Complaint pursuant to FRCP 15. I submit this Declaration in conjunction with Plaintiff's Memorandum of Law in Opposition the Defendants' respective motions to dismiss and in support of this cross-motion for leave to amend as the pre-answer motion to dismiss stage of these proceedings.
3. Attached hereto as Exhibit A is a true copy of the initial Complaint in this action (Dkt 1).
4. Attached hereto as Exhibit B is a true copy of the proposed Amended Complaint for this action.

5. Attached hereto as Exhibit C is a comparison of the Complaint and the Amended Complaint.

6. As set forth in the accompanying memorandum of law, leave to appeal should be freely given per the express language of FRCP 15.

WHEREFORE, it is respectfully submitted that the Court should enter an Order permitting Plaintiff to file her proposed Amended Complaint and granting any such other relief to Plaintiff as the Court deems fit and proper.

Dated: New York, New York
November 1, 2022

Neal Brickman

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